

REMARKS

Reconsideration and withdrawal of all grounds of rejection, and allowance of all the pending claims are respectfully requested in light of the above amendments and the following remarks. Claims 12-22, as amended, remain pending herein. Claims 23-30 have been added hereby, and support for claims 23-26 is clearly shown in the specification at least at page 4, line 31, to page 5, line 3 of the specification, and support for claims 27-30 is clearly shown in the specification at page 5, lines 27-31. Claims 12, 17, 21 and 22 are independent claims.

Applicant notes in the current Office Action there is no "Response to Arguments" presented in response to the previously-filed Amendment, and Applicant respectfully submits that unless all claims are allowed, such a section is helpful to advance prosecution of the application.

Claims 12-22 stand rejected under 35 U.S.C. §103(a) over Badger (U.S. 5,678,211) in view of Englmeier (U.S. 7,119,834). Applicant respectfully traverses this ground of rejection for the reasons indicated herein below.

Applicant respectfully submits that the present claims have been amended to clarify that the tuner is individually pre-calibrated and that an individualized calibration signal generated during the pre-calibration is identified by at least one identifier.

More particularly, for example, claim 12 has been amended to recite in part:

| said tuner being individually pre-calibrated prior to
| arrangement in said receiver and having at least one
| electronically tuned filter, wherein said receiver includes
| means for calibrating said electronically tuned filter by
| retrieving an individualized calibration signal generated

by the pre-calibration of said tuner prior to arrangement in said receiver and specifically identified by at least one identifier.

Support for the above amendments to claim 12 is found in the specification at least at page 5, lines 28-30, and page 5, lines 16-19, and shown in FIG. 1. Independent claims 17, 21 and 22 recite similarly amended recitations, with claims 21 and 22 being in method format.

Applicant respectfully submits that the combination of Badger in view of Englmeier fails to disclose the individualized calibration of tuners being retrieved from outside the tuner, as recited by independent claims 12, 17, 21 and 22.

With regard to the combination of Badger in view of Englmeier, Badger is admittedly silent and Englmeier is alleged in the Office Action to disclose a Look up Table (LUT/Prom). However, Applicant first respectfully submits that the look-up-table, is not located outside the receiver, nor does the combination of Badger and Englmeier disclose or in any way render obvious the recitation of "retrieving an individualized calibration signal generated by the pre-calibration of said tuner prior to arrangement in said receiver" and that individualized calibration signal is retrieved from "outside said receiver".

Applicant respectfully submits that none of the present claims would have been obvious over the combination of Badger in view of Englmeier, as the combination clearly fails to disclose, or otherwise render the claims obvious for at least the above-mentioned reasons.

Applicant respectfully submits that one of the advantages of the claimed invention is that the retrieving (downloading) needs to be done only once for each newly installed tuner (specification at page 2, lines 13-18). Another advantage of the claimed invention is that calibration results do not need to be kept insider/near the tuners (specification at page 2). In contrast, the combination of Badger and Englmeier stores the calibration result internally in the PROM 42 of the tuner 10, or perhaps in the look up table 351.

For at least the above reasons, Applicant respectfully submits that none of the present claims would have been obvious at the time of invention over the combination of Badger and Englmeier. Nor would the combination of elements, as recited in the present claims, have been obvious at the time of invention as being within the ordinary level of skill in the art (*KSR International v. Teleflex*, 127 S.Ct. 1727, 82 USPQ2d 1385 (2007)).

Applicant also respectfully submits that all of the claims depending from one of claims 12, 21, and 22 are allowable at least for dependency from an allowable base claim and because of an independent basis for patentability. Individual consideration of each claim on its own merits is respectfully requested.


With regard to new claims 23-26, Applicant respectfully submits that the combination of references clearly fails to disclose or render obvious that the tuner memory contains a Uniform Resource Locator or an Internet Protocol address for retrieving the individualized pre-calibrated calibration signal.

With regard to new claims 27-30, Applicant respectfully submits the combination of references clearly fails to disclose or render obvious that the calibration signal comprises a number of parts with indications regarding which parts are specifically associated with respective individual electronically tuned filters, and wherein a common identifier is shared by more than one of the individual electronically tuned filters.

For all the foregoing reasons, it is respectfully submitted that all the present claims are patentable in view of the cited references. A Notice of Allowance is respectfully requested.

Respectfully submitted,
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